

79<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2044

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## IN THE SENATE OF THE UNITED STATES

APRIL 9 (legislative day, MARCH 5), 1946

Mr. THOMAS of Utah (for himself, Mr. HILL, and Mr. AUSTIN) introduced the following bill; which was read twice and referred to the Committee on Military Affairs

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## A BILL

To promote the common defense by unifying the departments and agencies of the Government relating to the common defense.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "Common Defense Act  
4       of 1946".

### 5                               DECLARATION OF POLICY

6       SEC. 2. In enacting this legislation, it is the intent of  
7       Congress to provide a comprehensive and continuous pro-

1 gram for our future safety and for the peace and security of  
2 the world; to coordinate under civilian control the depart-  
3 ments and agencies of the Government and their functions  
4 relating to the common defense; to provide permanent  
5 machinery for the establishment of integrated programs for  
6 the maximum use of the Nation's military, human, natural,  
7 and industrial resources in the interests of common defense;  
8 to realize the economies that can be achieved through  
9 unified control of supply and service functions; to prevent  
10 duplication and overlapping of functions; to establish the  
11 most advantageous framework for a unified system of train-  
12 ing for combined operations by land, sea, and air forces;  
13 and, on the basis of past knowledge and experience,  
14 to integrate all elements of our Nation into an alert,  
15 smoothly working, and efficient organization for the pro-  
16 tection of our national security. In time of peace it is  
17 essential that well-laid plans be formulated and kept up  
18 to date ready, at an instant's notice, to be put into effect  
19 in the event this Nation is again threatened with or forced  
20 into war. The maintenance of such an organization in a  
21 continuous state of full alert will be for (a) the security of  
22 the Nation, (b) the preservation of peace, (c) the removal  
23 of the causes of war, and (d) the suppression of aggression  
24 at its first appearance.

1       TITLE I—UNIFIED ORGANIZATION FOR  
2               NATIONAL SECURITY  
3               ESTABLISHMENT OF DEPARTMENT

4       SEC. 101. (a) There shall be at the seat of govern-  
5       ment an executive department to be known as the  
6       Department of Common Defense, which shall be adminis-  
7       tered by a Secretary of Common Defense (hereinafter re-  
8       ferred to as the "Secretary"), who shall be appointed  
9       from civilian life by the President, by and with the advice  
10      and consent of the Senate. The Secretary shall be a member  
11      of the President's Cabinet and shall receive compensation  
12      at the rate of \$15,000 a year.

13      (b) Section 158 of the Revised Statutes is amended  
14      to include the Department of Common Defense, and the  
15      provisions of so much of title IV of the Revised Statutes,  
16      as now or hereafter amended, as is not inconsistent with  
17      this Act, shall be applicable to the Department.

18      (c) The Secretary of Common Defense shall cause a  
19      seal of office to be made for the Department, of such  
20      device as the President shall approve, and judicial notice  
21      shall be taken thereof.

22               UNDER SECRETARY

23      SEC. 102. There shall be in the Department of Common  
24      Defense an Under Secretary of Common Defense, who shall

1 be appointed from civilian life by the President, by and with  
2 the advice and consent of the Senate, and who shall receive  
3 compensation at the rate of \$12,000 a year. The Under  
4 Secretary shall perform such duties as may be required by  
5 law or prescribed by the Secretary of Common Defense.  
6 The Under Secretary shall (1) in case of the death, resigna-  
7 tion, or removal from office of the Secretary, perform the  
8 duties of the Secretary until a successor is appointed, and  
9 (2) in case of the absence of the Secretary, perform the  
10 duties of the Secretary until such absence shall terminate.

11 SECRETARIES FOR THE ARMY, NAVY, AND AIR FORCE

12 SEC. 103. There shall be in the Department of Com-  
13 mon Defense a Secretary for the Army, a Secretary for the  
14 Navy, and a Secretary for the Air Force, who shall be  
15 appointed from civilian life by the President, by and with the  
16 advice and consent of the Senate, and who shall receive  
17 compensation at the rate of \$12,000 a year. The said  
18 Secretaries, under the supervision and direction of the Presi-  
19 dent and of the Secretary of Common Defense, shall be  
20 charged with the administration of the United States Army,  
21 the United States Navy, and the United States Air Force,  
22 respectively, and shall perform such other duties as may  
23 be required by law or prescribed by the Secretary of  
24 Common Defense.

1 ASSISTANT SECRETARIES OF COMMON DEFENSE

2 SEC. 104. There shall be in the Department of Com-  
3 mon Defense four Assistant Secretaries of Common Defense,  
4 who shall be appointed from civilian life by the President,  
5 by and with the advice and consent of the Senate, and who  
6 shall receive compensation at the rate of \$10,000 a year.  
7 The Secretary shall designate one or more of the Assistant  
8 Secretaries to perform, under the supervision and direction  
9 of the Secretary, the following functions:

10 (1) To foster, supervise, and coordinate scientific  
11 research and development activities in the Department  
12 of Common Defense; to coordinate such activities in  
13 the Department of Common Defense with those of other  
14 Government agencies, and with those of private industry,  
15 individuals, laboratories, and educational institutions;  
16 and to promote educational programs designed to assure  
17 an adequate supply of trained personnel to conduct such  
18 activities of the Department.

19 (2) To foster, supervise, and coordinate intelligence  
20 activities in the Department of Common Defense; to  
21 assure the prompt dissemination within the Department  
22 and to commanders in the field of adequate military in-  
23 telligence to enable military authorities to take action

1 in the interests of common defense; to coordinate the in-  
2 telligence activities of the Department with those of  
3 the Central Intelligence Agency and other Government  
4 agencies; and to promote educational programs designed  
5 to assure an adequate supply of trained personnel to  
6 conduct such activities of the Department.

7 (3) To supervise and coordinate activities in the  
8 Department of Common Defense with respect to the  
9 procurement of military supplies, logistics, industrial  
10 mobilization, and medical care and hospitalization; to  
11 develop programs designed to promote economy, effi-  
12 ciency, and the elimination of duplication and overlap-  
13 ping in the procurement and distribution of military  
14 supplies and in the furnishing of medical care, hospitali-  
15 zation, and other services; to coordinate the programs of  
16 the Department with those of the National Security  
17 Resources Board and other governmental agencies per-  
18 forming functions with respect to the procurement and  
19 distribution of supplies, the furnishing of services, or the  
20 maintenance of inventories and information relating to  
21 the actual and potential manpower, resources, and pro-  
22 ductive facilities of the Nation; and to promote educa-  
23 tional programs designed to provide an adequate supply  
24 of trained personnel to conduct the military logistics of  
25 the Department and to promote educational programs

1 designed to accustom industry to the actual and potential  
2 procurement programs of the Department.

3 (4) To supervise and coordinate educational and  
4 training activities in the Department of Common Defense  
5 with a view toward the constant maintenance of our  
6 armed forces as a highly trained organization, the pro-  
7 vision of adequate opportunities to all members of such  
8 forces to fit themselves for greater responsibilities, the  
9 joint education and training of members of the armed  
10 forces, and the training of members of the armed forces  
11 to fit them for command and staff responsibilities involv-  
12 ing all of the components of the armed forces; and to  
13 coordinate the educational and training activities of the  
14 Department of Common Defense with those of other  
15 Government agencies and of educational institutions.

16 The Assistant Secretaries shall perform, under the super-  
17 vision and direction of the Secretary, such other functions  
18 as may be required by law or prescribed by the Secretary.

19 CHIEF OF STAFF OF COMMON DEFENSE

20 SEC. 105. (a) There shall be in the Department of  
21 Common Defense an officer to be known as the Chief of  
22 Staff of Common Defense, who shall be appointed by the  
23 President, by and with the advice and consent of the Senate,  
24 for a term of three years. Said Chief of Staff shall be  
25 selected from among the commissioned officers of the armed

1 forces of general or flag rank and shall rank above all other  
2 officers of the armed forces on active duty. The Chief of  
3 Staff of Common Defense shall be the military adviser of  
4 the President and the Secretary, shall execute such  
5 orders as he shall receive from the President or the  
6 Secretary, and shall perform such other military duties  
7 as may be assigned him by the President or the Secretary.

8 (b) In the appointment of the Chief of Staff of Com-  
9 mon Defense, the President shall, if he deems it proper and  
10 desirable, alternate his choice of said Chief of Staff from  
11 commissioned officers of the Army, Navy, and Air Force  
12 in order that the experience of all the services shall become  
13 a part of our common-defense establishment.

14 (c) An officer of the United States Army, while hold-  
15 ing the Office of Chief of Staff of Common Defense shall  
16 have the rank and title of General of the Army; an officer  
17 of the United States Navy, while holding such office shall  
18 have the rank and title of Fleet Admiral or, if an officer of the  
19 Marine Corps, the rank and title of General of the Marines; an  
20 officer of the United States Air Force, while holding such office  
21 shall have the rank and title of General of the Army  
22 or such equivalent rank and title as may hereafter be  
23 established for an officer or officers of the United States  
24 Air Force. An officer while holding the Office of Chief  
25 of Staff of Common Defense shall be entitled to the pay



1 and allowances of a rear admiral (upper half) and to  
2 a personal money allowance of \$5,000 per year.

3 JOINT STAFF OF THE ARMED FORCES

4 SEC. 106. (a) There is hereby established in the De-  
5 partment of Common Defense an organization to be known  
6 as the Joint Staff of the Armed Forces (hereinafter referred  
7 to as the "Joint Staff"), which shall consist of the Chief of  
8 Staff of Common Defense; the Commanding General, United  
9 States Army; the Chief of Naval Operations; and the Com-  
10 manding General, United States Air Force.

11 (b) The Joint Staff shall, from time to time as said  
12 body shall deem desirable and at least once in each year,  
13 submit to the President, through the Secretary of Common  
14 Defense, the recommendations of said body, together with  
15 those of any nonconcurring member or members, regarding  
16 military policy, strategy, and the budgetary requirements  
17 of the armed forces, including the composition of the budget.  
18 Such recommendations shall be transmitted to the President,  
19 with comments deemed appropriate, by the Secretary of  
20 Common Defense who, in the case of budgetary recommenda-  
21 tions, shall, after consideration and review thereof, submit  
22 to the President the annual budget of the Department to-  
23 gether with the recommendations of the Joint Staff or  
24 members thereof.

1 (c) The commander of any of the three components of  
2 the armed forces established by section 108 may, at any  
3 time, present to the Joint Staff for consideration and discus-  
4 sion and presentation to the President through the Secretary  
5 of Common Defense any report or recommendation relating  
6 to the component commanded by him which he shall deem  
7 desirable. Such report or recommendation shall, after reason-  
8 able consideration by the Joint Staff, be forwarded to the  
9 President through the Secretary of Common Defense to-  
10 gether with statements of the views and recommendations  
11 thereon of the Joint Staff or the members thereof and of  
12 the Secretary of Common Defense.

13 COMMANDING OFFICERS OF THE ARMY, NAVY, AND

14 AIR FORCE

15 SEC. 107 (a) The United States Army, the United  
16 States Navy, and the United States Air Force shall each be  
17 commanded by a commissioned officer, who shall be ap-  
18 pointed by the President, by and with the advice and consent  
19 of the Senate, for a term of three years from among the  
20 officers of general or flag rank who are transferred or assigned  
21 to or commissioned in such components, respectively. The  
22 commanders of such components shall be known, respectively,  
23 as the Commanding General, United States Army; the  
24 Chief of Naval Operations; and the Commanding General,  
25 United States Air Force. Each of said commanders shall,

1, subject to direction of the President, or of the Secretary  
2 under direction of the President, exercise command over  
3 his component and shall be charged with the duty of carrying  
4 into execution all lawful orders and directions which may  
5 be transmitted to him.

6 (b) An officer while holding the office of Commanding  
7 General, United States Army, shall have the rank and title  
8 of General of the Army; an officer while holding the office  
9 of Commanding General, United States Air Force, shall  
10 have the rank and title of General of the Army or such  
11 equivalent rank and title as may hereafter be established  
12 for an officer or officers of the United States Air Force; and  
13 an officer while holding the office of Chief of Naval Opera-  
14 tions shall have the rank and title of Fleet Admiral; and  
15 each such officer while holding such office shall be entitled  
16 to the pay and allowances of a rear admiral (upper half)  
17 and to a personal money allowance of \$2,200 per year.

18 ESTABLISHMENT OF UNITED STATES ARMY, NAVY, AND

19 AIR FORCE

20 SEC. 108. (a) There are hereby established, as sep-  
21 arate and coordinate arms, the United States Army, the  
22 United States Navy, and the United States Air Force.

23 (b) Each of such separate and coordinate arms shall  
24 consist of such personnel, officers, offices, agencies, organiza-  
25 tions, installations, matériel, property, records, and projects,

1 as may hereafter be assigned or transferred to it from time  
2 to time by law or by Executive order of the President.

3 (c) In order to avoid interruption or curtailment of  
4 the functioning of the armed forces during the process  
5 of reorganization, the jurisdiction, control, authority, and  
6 command of all the items mentioned in (b) above vested  
7 in and exercised—

8 (1) by the Commanding Generals of the Army  
9 Ground Forces and Army Service Forces shall be  
10 vested in and exercised by the Commanding General,  
11 United States Army, when appointed;

12 (2) by the Chief of Naval Operations shall be  
13 vested in and exercised by the Chief of Naval Opera-  
14 tions, United States Navy, when appointed;

15 (3) by the Commanding General, Army Air  
16 Forces, shall be vested in and exercised by the Com-  
17 manding General, United States Air Force, when  
18 appointed.

19 (d) Any member of the armed forces who is, by opera-  
20 tion of this Act or subsequent action taken hereunder,  
21 assigned to the United States Army, the United States  
22 Navy, or the United States Air Force, shall not be deemed  
23 to have been appointed to a new or different office or grade  
24 from that held by him at the time of such assignment, or  
25 to have vacated his permanent or temporary appointment

1 in an existing component of the armed forces solely by  
2 virtue of such assignment. No such assignment shall alter  
3 or prejudice the status of any member of the armed forces  
4 so assigned, so as to deprive him of any right, benefit, or  
5 privilege to which he may be entitled under existing law.

6 (e) All existing laws, Executive orders, and regula-  
7 tions relating to members of the armed forces, or any com-  
8 ponent thereof, or relating to persons serving with the  
9 armed forces, to the extent not in conflict with this Act, shall  
10 continue in full force and effect and shall apply to present  
11 and future members of the armed forces and other persons  
12 serving therewith, until repealed, modified, or superseded.

13 ABOLISHMENT OF WAR AND NAVY DEPARTMENTS

14 SEC. 109. (a) All civilian personnel and all property,  
15 both real and personal and including all records, of the  
16 Department of War and the Department of the Navy shall,  
17 at such time as the President may determine, be transferred  
18 to the Department of Common Defense; and the Department  
19 of War and the Department of the Navy shall cease to exist  
20 as executive departments of the Government upon the  
21 issuance of the Executive order effecting such transfer.

22 (b) The offices of Secretary of War, Secretary of the  
23 Navy, Under Secretary of War, Under Secretary of  
24 the Navy, Assistant Secretary of War, Assistant Sec-  
25 retary of the Navy, additional Assistant Secretary of

1 War (Air), and additional Assistant Secretary of the  
2 Navy (Air) shall be abolished upon the issuance of the Exec-  
3 utive order specified in subsection (a), and the functions,  
4 powers, and duties vested in and imposed upon such officers  
5 shall thereafter be vested in and imposed upon the Secretary  
6 of Common Defense, who may delegate the same to the  
7 Under Secretary, to the Secretaries for the Army, Navy,  
8 and Air Force, or to such of the Assistant Secretaries as he  
9 may designate.

10 (c) The transfer to the Department of Common Defense  
11 under this Act of civilian personnel of the Department of War  
12 and of the Department of the Navy shall be without changes  
13 in classification or compensation, but the Secretary is author-  
14 ized to make such changes in the titles and designations and  
15 prescribe such changes in the duties of such officers and em-  
16 ployees commensurate with their classification as he may  
17 deem necessary to carry out the purpose of this Act.

18 (d) All laws, orders, and regulations, relating specifi-  
19 cally to such departments and generally to executive de-  
20 partments, which are not in conflict with any provision of  
21 this Act, shall be applicable to the Department of Common  
22 Defense until repealed, modified, or superseded.

23 (e) All unexpended balances of appropriations, alloca-  
24 tions, or other funds available for use by the Department of  
25 War or the Department of the Navy or officers thereof, are

1 hereby transferred, effective upon the issuance of the Execu-  
2 tive order specified in subsection (a), to the Department of  
3 Common Defense for use in connection with the exercise of  
4 its functions prescribed by this Act. Such unexpended bal-  
5 ances so transferred may be used for the purposes for which  
6 the appropriations, allocations, or other funds were originally  
7 made available, or for new expenditures occasioned by the  
8 enactment of this Act. The transfers herein authorized may  
9 be made with or without warrant action as may be appro-  
10 priate from time to time from any appropriation covered by  
11 this subsection to any other such appropriation or to such new  
12 accounts established on the books of the Treasury as may be  
13 determined to be necessary to carry into effect the provisions  
14 of this Act, including any reorganization adopted pursuant  
15 thereto, or to carry out other provisions thereof.

16 (f) There shall also be in the Department of Common  
17 Defense such other civilian officers and employees as the Sec-  
18 retary may deem necessary to perform his duties and as may  
19 from time to time be provided for by Congress.

20 SAVING CLAUSES

21 SEC. 110. (a) All contracts, agreements, orders, rules,  
22 regulations, permits, and privileges made, issued, or granted  
23 by or in respect of the Department of War or the  
24 Department of the Navy, which are in effect at the time of  
25 their transfer under this Act, shall, insofar as not inconsistent

1 with the provisions of this Act, continue in effect to the same  
2 extent as if such transfer had not occurred, until modified,  
3 superseded, or repealed.

4 (b) No suit, action, or other proceeding lawfully  
5 commenced by or against the Secretary of War or the  
6 Secretary of the Navy, or other officer of the Department of  
7 War or the Department of the Navy, in his official capacity or  
8 in relation to the discharge of his official duties, shall abate  
9 by reason of the taking effect of this Act, but the court may,  
10 on motion or supplemental petition filed at any time within  
11 twelve months after the date of enactment of this Act,  
12 showing a necessity for a survival of such suit, action, or  
13 other proceeding to obtain a settlement of the questions  
14 involved, allow the same to be maintained by or against  
15 the Secretary of Common Defense.

16 SUCCESSION TO PRESIDENCY

17 SEC. 111. The first section of the Act entitled "An Act  
18 to provide for the performance of the duties of the Office of  
19 President in case of the removal, death, resignation, or in-  
20 ability both of the President and Vice President", approved  
21 January 19, 1886 (24 Stat. 1), is amended (1) by striking  
22 out "Secretary of War," and inserting in lieu thereof "Secre-  
23 tary of Common Defense," and (2) by striking out "or if  
24 there be none, or in case of his removal, death, resignation,  
25 or inability, then the Secretary of the Navy".



1 REORGANIZATION POWERS

2 SEC. 112. (a) The Department of Common Defense,  
3 the United States Army, the United States Navy, and the  
4 United States Air Force established by this Act, each is  
5 respectively declared to be an agency which may be re-  
6 organized under the provisions of the Reorganization Act  
7 of 1945: *Provided, however,* That no action taken pursuant  
8 to the provisions of this section under the Reorganization  
9 Act of 1945 shall have the effect of abolishing any of said  
10 agencies.

11 (b) None of the powers granted to the President by  
12 title I of the First War Powers Act, 1941 (55 Stat. 838),  
13 shall be applicable with respect to the agencies enumerated  
14 in subsection (a).

15 RECOMMENDATIONS FOR FURTHER LEGISLATION IN THE  
16 INTERESTS OF COMMON DEFENSE

17 SEC. 113. The President, through the Secretary of Com-  
18 mon Defense, shall make a full and complete study and  
19 investigation of the Department of Common Defense (in-  
20 cluding the United States Army, the United States Navy,  
21 and the United States Air Force) as constituted pursuant  
22 to the provisions of this Act. Such study and investigation  
23 shall be made with a view to the recommendation to Con-  
24 gress of further legislation which may be necessary to provide

1 for (1) the most efficient and economical operation of  
2 the Department; (2) the elimination of any undesirable  
3 duplication and overlapping in the functions performed by  
4 the coordinate arms of the armed forces; (3) the joint use  
5 by such coordinate arms of hospitals, laboratories, dispen-  
6 saries, transportation and port facilities, buildings, utilities,  
7 libraries, schools, training institutions, facilities, and other  
8 properties; (4) the coordination, in time of peace and in time  
9 of war, of the activities of the Department and the coordi-  
10 nate arms of the armed forces with those of other Depart-  
11 ments and agencies of the Government; (5) the  
12 establishment of uniformity in the legislation applicable to  
13 the coordinate arms of the armed forces and relating to  
14 such matters as appointment and enlistment, promotion,  
15 retirement, discipline, pay and allowances, and periods of  
16 service; (6) the establishment of a system of promotion of  
17 members of the coordinate arms of the armed forces which  
18 will result in the promotion of those members who will be  
19 most capable of performing the duties of the grades and  
20 offices to which they are promoted; and (7) any further  
21 improvement in the organization of the Department and of  
22 the coordinate arms of the armed forces, and of the function-  
23 ing thereof, which requires legislation for its accomplish-  
24 ment. Reports with respect to such study and investiga-  
25 tion, together with any recommendations for legislation

1 resulting therefrom, shall be made to the Congress as soon  
2 as practicable.

3 ANNUAL REPORTS

4 SEC. 114. The Secretary of Common Defense shall make  
5 annually a report in writing to Congress giving an account  
6 of all moneys received and disbursed by him and the Depart-  
7 ment, describing the work done by the Department, and  
8 making such recommendations as he shall deem necessary  
9 for the effective performance of the duties and purposes of  
10 the Department.

11 TITLE II—COORDINATION FOR COMMON

12 DEFENSE

13 COUNCIL OF COMMON DEFENSE

14 SEC. 201. (a) There is hereby established an independ-  
15 ent agency of the Government to be known as the Council  
16 of Common Defense (hereinafter in this section referred to  
17 as the "Council"). The function of the Council shall be  
18 the coordinating and integrating of common defense policies.  
19 The Council shall be composed of the Secretary of State, the  
20 Secretary of Common Defense, and the Chairman of the  
21 National Security Resources Board. The President shall  
22 preside at all meetings of the Council which he attends.

23 (b) In addition to any powers which the President  
24 may delegate to it for the purpose of more effectively  
25 coordinating the departments and agencies of the Gov-

1 ernment and their functions relating to the common de-  
2 fense, and for the purpose of more effectively implementing  
3 the intent of Congress in this Act, it shall, subject to the  
4 direction of the President, be the duty of the Council—

5 (1) to bring into common action the common  
6 defense policies of the United States and to provide  
7 for unity in the execution thereof;

8 (2) to assess and appraise the objectives, commit-  
9 ments, and risks of the United States in relation to our  
10 actual and potential military power, in the interests of  
11 our common defense; and

12 (3) to initiate measures to bring into common ac-  
13 tion the executive departments, independent agencies,  
14 boards, commissions, Government corporations, and  
15 other agencies in the executive branch of the Govern-  
16 ment as may be necessary to provide for the common  
17 defense. The Council will direct and supervise such  
18 action in agencies under its supervision or control. Each  
19 member will take appropriate and necessary action to  
20 carry out the decisions of the Council within the depart-  
21 ment or agency which he represents; with respect to  
22 decisions which affect departments or agencies beyond  
23 the control of the Council or not represented by members  
24 of the Council, appropriate action will be recommended  
25 to the heads thereof and if action satisfactory to the

1 Council is not taken by such departments and agencies  
2 the Council will recommend appropriate action to the  
3 President.

4 (c) The Council shall have a staff to be headed by an  
5 executive secretary who shall be appointed from civilian life  
6 by the President, by and with the advice and consent of  
7 the Senate, and shall receive compensation at the rate of  
8 \$12,000 per annum. The executive secretary shall prepare  
9 the agenda of the Council and shall have the duty of provid-  
10 ing data essential to its deliberations and distributing its con-  
11 clusions to the departments and agencies concerned for  
12 information and appropriate action. The executive secretary  
13 shall perform such other duties as may be prescribed by the  
14 Council.

15 (d) The Council shall make at the close of each fiscal  
16 year a report in writing to the President and to the Congress  
17 giving an account of all moneys received and disbursed by  
18 the Council, making such recommendations and legislative  
19 proposals as it shall deem necessary to improve the common  
20 defense, and describing the work done by the Council in  
21 such detail as is not inconsistent with national security. The  
22 Council shall, from time to time, make such other reports  
23 to the President as it deems appropriate or as the President  
24 may require.

1                   CENTRAL INTELLIGENCE AGENCY

2       SEC. 202. (a) There shall be in the Council of Common  
3   Defense a Central Intelligence Agency (hereinafter in this  
4   section referred to as the "Agency"), with a Director who  
5   shall be the head thereof, to be appointed from civilian or  
6   military life by the President by and with the advice and  
7   consent of the Senate. The Director shall receive compen-  
8   sation at the rate of \$12,000 per annum. Any commis-  
9   sioned officer of the United States Army, the United States  
10   Navy, or the United States Air Force may be appointed to  
11   the office of Director; and his appointment to, acceptance of,  
12   and service in, such office shall in no way affect any status,  
13   office, rank, or grade he may occupy or hold in the United  
14   States Army, the United States Navy, or the United States  
15   Air Force, or any emolument, perquisite, right, privilege,  
16   or benefit incident to or arising out of any such status, office,  
17   rank, or grade. Any such commissioned officer on the active  
18   list shall, while serving in the Office of Director, receive the  
19   military pay and allowances payable to a commissioned  
20   officer of his grade and length of service and shall be paid,  
21   from any funds available to defray the expenses of the  
22   Agency, annual compensation at a rate equal to the differ-  
23   ence between \$12,000 and the amount of his annual mili-  
24   tary pay and allowances. There shall be assigned to duty  
25   with the Agency such military and civilian personnel of the

1 departments and agencies of the Government as the Council  
2 of Common Defense may, from time to time, recommend  
3 and the President approve.

4 (b) It shall be the duty of the Agency, under the  
5 supervision and direction of the Council of Common De-  
6 fense, to plan, develop, and coordinate the foreign intelli-  
7 gence activities of the United States in such manner as  
8 to assure the most effective accomplishment of the intelli-  
9 gence mission relating to the national security. The Agency  
10 shall—

11 (1) correlate and evaluate intelligence relating to  
12 the national security and provide for the appropriate  
13 dissemination within the Government of the resulting  
14 strategic and national policy intelligence;

15 (2) make plans for the coordination of such of  
16 the intelligence activities of the departments and  
17 agencies of the Government as relate to the national  
18 security and recommend to the Council of Common  
19 Defense the establishment of such over-all policies and  
20 objectives as will assure the most effective accom-  
21 plishment of the national intelligence mission;

22 (3) perform, for the benefit of the departments  
23 and other agencies of the Government such intelli-  
24 gence services of common concern as relate to the  
25 national security and as the Council of Common De-

1       fense determines can be more efficiently accomplished  
2       by the agency; and

3           (4) perform such other functions and duties re-  
4       lating to intelligence affecting the national security  
5       as the President or the Council of Common Defense  
6       may from time to time direct.

7       (c) The responsibility and authority of the departments  
8       and other agencies of the Government to collect, evaluate,  
9       correlate, and disseminate intelligence shall not be affected,  
10      except to the extent that the Agency may relieve them of  
11      such authority and responsibility pursuant to the provisions  
12      of subsection (b). The Agency shall have no police, sub-  
13      pena, law enforcement, or internal security powers or func-  
14      tions; nor shall anything herein be construed as authorizing  
15      the making of investigations inside the continental United  
16      States or its possessions, except as provided by law. The  
17      Director of the Agency shall be responsible for fully pro-  
18      tecting intelligence sources and methods.

19      (d) The Agency shall make use of the facilities and  
20      services of the military and the civilian intelligence agencies  
21      of the Government and may conduct intelligence projects  
22      through, or in cooperation with, such agencies. Such  
23      agencies are hereby authorized and directed to make such  
24      facilities and services available to the Agency and to par-  
25      ticipate in the conduct of its projects.



1 (e) To the extent recommended by the Council of  
2 Common Defense and approved by the President, (1)  
3 the intelligence operations of the departments and other  
4 agencies of the Government shall be open to inspection by  
5 the Director in connection with the planning functions of  
6 the Agency and (2) the intelligence possessed by such  
7 departments and agencies shall be made freely available to  
8 the Director for correlation, evaluation, or dissemination.

9 NATIONAL SECURITY RESOURCES BOARD

10 SEC. 203. (a) There is hereby established an inde-  
11 pendent agency of the Government to be known as the  
12 National Security Resources Board (hereinafter in this  
13 section referred to as the "Board") to be composed of the  
14 Chairman of the Board and such of the heads of the various  
15 executive departments and independent agencies as may from  
16 time to time be designated by the President to be members  
17 of the Board. The Chairman of the Board shall be appointed  
18 from civilian life by the President, by and with the advice and  
19 consent of the Senate, and shall receive compensation at the  
20 rate of \$12,000 per annum.

21 (b) It shall be the duty of the Chairman, under the  
22 supervision and direction of the Council of Common Defense—

23 (1) to formulate policies and programs for the  
24 maximum use of the Nation's resources in support of our  
25 national security;

1           (2) to review such policies and programs con-  
2           tinuously and to make such changes therein from time  
3           to time as may be desirable;

4           (3) to formulate and revise such policies and  
5           programs with a view to meeting requirements for  
6           manpower, supplies, and materials with minimum dis-  
7           ruption of the civilian economy of the Nation;

8           (4) to prepare and maintain an inventory of the  
9           natural resources of the Nation and adequate information  
10          on the manpower, resources, and productive facilities  
11          of the Nation;

12          (5) to formulate policies and programs for the  
13          purpose of maintaining adequate reserves of strategic  
14          materials and conserving our basic resources; and

15          (6) to report the conclusions reached with respect  
16          to such policies and programs to the Council for ap-  
17          propriate action.

18          (c) The Board shall have a staff to be headed by an  
19          executive secretary who shall be appointed from civilian life  
20          by the President, by and with the advice and consent of  
21          the Senate, and shall receive compensation at the rate of  
22          \$10,000 per annum. The executive secretary shall prepare  
23          the agenda of the Board and shall have the duty of provid-  
24          ing data essential to its deliberations and distributing its  
25          conclusions to the departments and agencies concerned for

1 information and appropriate action. The executive secretary  
2 shall perform such other duties as may be prescribed by the  
3 Board or the Chairman thereof.

4 (d) The Board shall report annually to the Council of  
5 Common Defense an account of the work done by it.

6 TITLE III—MISCELLANEOUS

7 ADVISORY PERSONNEL

8 SEC. 301. (a) The Secretary of Common Defense is  
9 authorized to employ such part-time advisory personnel as  
10 he may deem necessary to carry out his duties and the objec-  
11 tives of title I. The executive secretaries of the Council of  
12 Common Defense and the National Security Resources  
13 Board and the Director of the Central Intelligence Agency  
14 are, each authorized to employ the services of such  
15 part-time advisory personnel (including persons serving  
16 as members of advisory boards or committees) as they  
17 may deem necessary to carry out their respective duties.  
18 Persons so engaged shall be reimbursed for their necessary  
19 travel and other expenses and may be uncompensated or  
20 may receive compensation at a rate not to exceed \$25  
21 for each day of service.

22 (b) Persons so employed in a part-time advisory capacity  
23 may serve as such without regard to sections 109 and 113 of  
24 the Criminal Code (U. S. C., title 18, secs. 198 and 203),  
25 and section 19 (e) of the Contract Settlement Act of 1944

1 (U. S. C., title 41, sec. 119), except insofar as such sections  
2 may prohibit any such person from receiving compensation  
3 in respect of any particular matter which directly involves  
4 the Department, council, board, or agency which such  
5 person is advising or in which such Department, council,  
6 board, or agency is directly interested.

7 PERMANENT PERSONNEL

8 SEC. 302. The executive secretaries of the Council of  
9 Common Defense and the National Security Resources  
10 Board and the Director of the Central Intelligence  
11 Agency are each authorized to appoint and fix the  
12 compensation of such personnel as may be necessary  
13 to perform their respective duties and as may be ap-  
14 propriated for from time to time by the Congress. Such  
15 appointments shall be made and such compensation shall be  
16 fixed in accordance with the provisions of the civil-service  
17 laws and the Classification Act of 1923, as amended.

18 RULES AND REGULATIONS

19 SEC. 303. The Council of Common Defense, the Cen-  
20 tral Intelligence Agency, and the National Security Re-  
21 sources Board are each authorized to make such rules and  
22 regulations as may be necessary to enable them to carry out  
23 the duties imposed upon them by this Act.

79TH CONGRESS  
2D SESSION

S. 2044

## A BILL

To promote the common defense by unifying the departments and agencies of the Government relating to the common defense.

By Mr. THOMAS of Utah, Mr. HULL, and  
Mr. AUSTIN

APRIL 9 (legislative day, MARCH 5), 1946  
Read twice and referred to the Committee on Military  
Affairs